(b) if so, the details thereof; and

(c) by when these are likely to be implemented?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (c) Judicial reforms is a continuous process. It has to keep pace with the changing time, conditions and requirements of the people. Government is committed to providing speedy and inexpensive justice to the common man.

Various judicial reform measures being implemented by the Government include: Scheme of Fast Track Courts and Family Courts, Infrastructure support for Judiciary including computerization, simplification of judicial procedures, augmenting Judges strength in High Courts, training of Judicial Officers for improvement in the quality of administration of justice, accountability of judges, organizing Lok Adalats and encouraging alternative modes of dispute resolution, setting up of special tribunals etc. Further, with a view to providing speedy, affordable and substantive justice to the poor at the grassroots level, the Government has introduced the Gram Nyayalaya Bill, 2007 in the Parliament.

Selection of Judges

1763. SHRI PYARELAL KHANDELWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that political affiliation, besides judicial calibre is a factor in the appointment of Judges of Supreme Court and High Courts, as told by Government to an applicant under the RTI Act and also reported in the media;

(b) if so, the details of cases in which Government holds back names of Judges, as contained in official reply of Government;

(c) whether Government is planning to make selection process of Judges of High Courts and Supreme Court transparent; and

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of Judges of the Supreme Court lies with the Chief Justice of India and for the High Court, it lies with the Chief Justice of that High Court.

As per the Memorandum of Procedure for appointment of Judges drawn on the basis of the said judgment, Judges are selected keeping in view their educational qualifications, nature and extent of practice, length of the practice, the field of specialisation and professional income for the last three years. Besides this, the competence of the person, his judicial potential, temperament and integrity are also kept in mind. All this information, as also other background information including regarding political affiliations/leanings of the recommendee persons are made available to the Chief Justice of India for consideration by the Supreme Court Collegium. It is the Collegium which considers all the available information on the candidates and forms a view regarding their suitability or otherwise for appointment as Judges of the Supreme Court/High Courts. As per the above judgment of the Supreme Court, the responsibility for selection of candidates for appointment as Judges of Supreme Court and the High Courts lies with the judiciary.

(c) and (d) There is no proposal at present before the Government to bring about any change in the present system of appointment of Judges in the Supreme Court and the High Courts.

Corruption in judiciary

1764. DR. GYAN PRAKASH PILANIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether any official/unofficial survey of the extent of prevalence of corruption in judicial system of the country has been conducted;

(b) if so, its outcome and if not, the reasons therefor;

(c) whether NGOs/CVC/CBI/Supreme Court/High Courts/Transparency International have made any suggestions/observations in the above context;

(d) if so, the details thereof and the action taken thereon;

(e) the corruption cases/complaints received against Judges of Supreme Court/High Courts, during the last three years and their disposal; and

(f) whether Government intends to legislate/set up any mechanism to ensure probity in judicial system?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) No, Sir. Because the complaints regarding corruption in judiciary are dealt with by their peers.

(c) and (d) The Supreme Court in their Full Court meeting held on May 7, 1997, resolved to devise an in-house procedure to take suitable remedial action against Judges who, by their act of omission or commission, do not follow the universally accepted values of judicial life including those indicated in the "Restatement of Values of Judicial Life."

(e) and (f) Complaints received against the Judges of the Supreme Court and the High Courts are dealt with under "In-House" procedure. The Government has, however, introduced Judges (Inquiry) Bill, 2006 in the Lok Sabha on 19.12.2006 which seeks to devise a suitable legislative framework for empowering a judicial forum to deal with complaints against judges of the Supreme Court and High Courts.

As far as the District and Subordinate Courts are concerned, the respective High Courts are empowered to take cognizance of complaints against the members of the lower judiciary.

Seminar on judicial reforms

1765. SHRI VIJAY J. DARDA:
SHRIMATI SHOBHANA BHARTIA:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a seminar on judicial reforms was held at New Delhi, recently;

(b) if so, the details of the points on which discussions were held in the seminar;

(c) whether Government is aware that the delay in providing justice was fraught with the risk of promoting the lynch mob phenomenon; and